

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON NOVEMBER 19, 2008, WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, PRESIDENT, EDWIN H. HUMPHREY, MEMBER, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD AND THE BOARD OF COUNTY COMMISSIONERS WAS HONORED TO HAVE AIRMAN FIRST CLASS JEFFERY CLARK OF THE UNITED STATES AIRFORCE TO LEAD ALL PRESENT IN THE RECITATION OF THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW: The Board of County Commissioners presented Airman First Class Jeffery Clark of the United States Airforce with a Certificate of Appreciation honoring him for his courageous commitment to our country while fighting the global war on terror. The Board commended his bravery and dedication to the cause of freedom. Airman First Class Clark was also presented with a challenge coin from Danny Bare, Director of the Clermont County Veterans' Service Commission, and a Congressional Proclamation from Steve Caraway, on behalf of Congresswoman Jean Schmidt, honoring him for his service to our country and wishing him a safe return home.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 188-08/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **188-08** resolving to approve payment to vendors as set forth in the General Ledger Distribution Report(s) presented by the County Auditor 11/17/08 in the total amount of \$3,229,345.90, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT... LETTER OF REQUEST FOR EXTENSION OF TIME FOR PROJECT COMPLETION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FORMULA PROGRAM FOR THE COUNTY OF CLERMONT, OHIO, FOR FISCAL YEAR 2007...07-0524-003...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute a Letter of Request to the State of Ohio, Department of Development, P.O. Box 1001, 77 South High Street, Columbus, Ohio 43216-1001 for an extension of time for project completion for the Community Development Block Grant (CDBG) Formula Program for the County of Clermont, Ohio, for Fiscal Year 2007, from 12/31/08 to 06/30/09.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: OFFICE OF ENVIRONMENTAL QUALITY...2008 MEMORANDUM OF AGREEMENT WITH THE LITTLE MIAMI RIVER PARTNERSHIP RELATIVE TO THE CONSERVATION RESERVE ENHANCEMENT PROGRAM APPLICATION FOR SAME...08-1106-006...EXECUTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Paul Braasch, Coordinator, Office of Environmental Quality, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute a Memorandum of Agreement by and between the County of Clermont, Ohio, and The Little Miami River Partnership, 777 Columbus Avenue, Suite 5-B, Lebanon, Ohio 45036-1682 for funding a portion of a Conservation Reserve Enhancement Program Application for the Little Miami River Watershed in the amount of \$31,859.70, effective 01/01/08 through 12/31/09, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY SEWER DISTRICT/COUNTY WATERWORKS SYSTEM...AWARD OF BID FOR THE FURNISHING AND DELIVERY OF CHEMICALS AND EXECUTION OF CONTRACTS RELATIVE THERETO...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Mark K. Day, Assistant Director of Operations, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to award the bids relative to the Furnishing and Delivery of Chemicals for the County Waterworks System within the Clermont County Sewer District, pursuant to the specifications therefore, to the following bidders for their lowest and best bids received therefore on 08/28/08 and subsequently extended on 10/22/08, at the rates as outlined therein, for a total estimated amount of \$503,804.38 and to execute the Contracts relative thereto, effective 11/19/08 through 05/18/09, with an option to renew for an additional six (6) month period, pursuant to the terms and conditions set forth therein and award of the bid therefore.

Bidder	Bid Item(s)	Estimated Amount
General Chemical Performance Products, LLC 90 East Halsey Road Parsippany, New Jersey 07054 DC# 08-0801-001	Bid Item 1 – Aluminum Sulfate	\$101,088.00
Univar USA, Inc. 4600 Dues Drive Cincinnati, Ohio 45246 DC# 08-1112-001	Bid Item 2 – Chlorine	\$12,600.00
Brenntag Mid-South, Inc. 3900 Tucker Drive Louisville, Kentucky 40216 DC# 08-1112-002	Bid Item 3 – Hydrofluosilicic Acid	\$45,030.00
Bonded Chemicals, Inc. 2645 Charter Street Columbus, Ohio 43228 DC# 08-1112-003	Bid Item 4 – Caustic Soda Bid Item 5 – Potassium Permanganate	\$303,908.00 \$ 41,178.38
Total Estimated Amount		\$503,804.38

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY SEWER DISTRICT/COUNTY WATERWORKS
SYSTEM...RECOMMENDATION NOT TO PROCEED WITH PROJECT
NUMBER 621-0038 RELATIVE TO THE MANILA ROAD WATER
PETITION PROJECT LOCATED IN STONELICK AND WAYNE
TOWNSHIPS...08-1107-005...APPROVED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Chris Rowland, P.E., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, not to proceed with Project Number 621-0038 relative to the Manila Road Water Petition Project located in Stonelick and Wayne Townships due to the lack of support from property owners for said Project and to authorize the Clermont County Sewer District to send notice to the owners of property affected by said Project advising them that the Project is no longer active and declaring that all proceedings with respect to same are hereby discontinued.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY SEWER DISTRICT...GRANTS OF WATER
EASEMENTS WITH RIGHTS OF RE-ENTRY FOR REPAIR AND
REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE
COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER 621-0029
RELATIVE TO THE STONELICK-WILLIAMS CORNER ROAD
TRANSMISSION MAIN PROJECT LOCATED IN STONELICK
TOWNSHIP...08-1107-004...ACCEPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Carole S. Schulze, Program Manager, with the concurrence of Lyle G. Bloom, P. E., Sanitary Engineer, Clermont County Sewer District, to accept and execute the following Grants of Water Easements with Rights of Re-Entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, replacing, removing, or reinstalling water utility lines and all incidental appurtenances required for the transportation of water in, on, under, and across the properties of the Grantor(s) for Project Number 621-0029 relative to the Stonelick-Williams Corner Road Transmission Main Project located in Stonelick Township, and to authorize the County Auditor to remit payment in the amounts as outlined below and as indicated on the Settlement Sheet attached thereto as compensation for the Permanent Easements and Rights-of-Ways granted thereby and to remit payment in the amount of \$120.00 payable to J. Robert True, Clermont County Treasurer, for the recording fees required relative thereto:

Grantor	Parcel Number	Compensation
Daniel E. Pilarczyk, Archbishop of Cincinnati, Trustee for the Members of the Congregation of St. Philomena Roman Catholic Church, Stonelick Township, Clermont County, Ohio 210 N. Broadway Owensville, Ohio 45160 Property Locations: Stonelick-Williams Corner Road and Balzhiser Road	30-29-10A-023	Perm \$655.00
	30-29-10A-034	Perm \$ 97.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...CHANGE ORDER NUMBER 2, FINAL, TO THE CONTRACT WITH BARRETT PAVING MATERIALS, INC. FOR PROJECT NUMBER RS-01-08 RELATIVE TO THE 2008 ROAD RESURFACING PROGRAM LOCATED IN VARIOUS TOWNSHIPS...08-0313-003...EXECUTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Change Order Number 2, Final, to the Contract with Barrett Paving Materials, Inc., 600 Shepherd Avenue, Cincinnati, Ohio 45215, previously ratified by the Board of County Commissioners on 05/28/08 and subsequently amended on 09/24/08, for Project Number RS-01-08 relative to the 2008 Road Resurfacing Program located in various townships, which represents an increase in the amount of \$31,014.02, for a total adjusted contract price to date of \$1,146,125.30 for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...UTILITY AND TEMPORARY EASEMENTS HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER BA-14-01 RELATIVE TO THE SR 125 AT AMELIA OLIVE BRANCH ROAD PROJECT LOCATED IN BATAVIA TOWNSHIP...08-1112-006...ACCEPTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept the following Utility and Temporary Easements heretofore granted and conveyed to the County of Clermont, Ohio, for utility, roadway and drainage purposes necessary for Project Number BA-14-01 relative to the SR 125 at Amelia Olive Branch Road Project located within Batavia Township, and to authorize the County Auditor to remit payment as compensation for the Utility and Temporary Easements and Rights-of-Ways granted thereby and Repairs relative thereto:

Grantor	Parcel Number	Compensation	
Lori Lane Properties, LLC 7895 Yellowwood Drive Mason, Ohio 45040 Property Location: Lori Lane	05-01-18.-177P	Temp	\$ 322.00
		Utility	\$ 856.00
		Repairs	\$ 1,322.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...FOREST GLEN SUBDIVISION/SECTION 1/BATAVIA TOWNSHIP...RELEASE OF A COMBINED PERFORMANCE-MAINTENANCE BOND AND ACCEPTANCE OF STREETS INTO THE BATAVIA TOWNSHIP PUBLIC ROAD

SYSTEM...05-1005-003...APPROVED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a Combined Performance-Maintenance Bond, previously converted to the Maintenance Bond Phase, for the following subdivision within Batavia Township, and to accept the streets in the lengths stated situated therein as public roads for placement into the Batavia Township Public Road System:

Subdivision	Maintenance Bond	Streets/Length (miles)
Forest Glen Subdivision Section 1 Batavia Township *Secured by Irrevocable Standby Letter of Credit Number CIS404488 issued by Fifth Third Bank, International Trade Services, 38 Fountain Square Plaza, MD10903C, Cincinnati, Ohio 45263	\$13,000.00*	Leafwood Court (0.03) Glenstream Drive 0.13) Forest Glen Blvd. (0.20)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: COUNTY ENGINEER...THE WOODS AT MIAMI TRAILS
SUBDIVISION/BLOCK B/MIAMI TOWNSHIP...RECORD PLAT
NUMBER 629-2605 FOR THE REPLAT OF LOTS WITHIN MIAMI
TOWNSHIP...08-1113-002...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2605** for the Replat of Lots in the following subdivision within Miami Township:

Subdivision	Record Plat Number	Reason for Replat
Replat of Lots 318 and 319 The Woods at Miami Trails Subdivision Block B Miami Township	629-2605	To create new Lot Numbers 456 and 457

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY
ACTIONS FOR FISCAL YEAR 2008...APPROVED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2008 (Resolution Number 207-07) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley,

County Auditor, to properly record same:

BUDGET TRANSFER OF FUNDS:

\$ 5,200.00	From General Fund 100-1070-5300 to 100-1070-5118 (Board of Elections Purchased Services to Temporary Salary)
\$ 4,800.00	From General Fund 100-1070-5300 to 100-1070-5121 (Board of Elections Purchased Services to Overtime)
\$ 1,200.00	From General Fund 100-1070-5300 to 100-1070-5200 (Board of Elections Purchased Services to Fringe Benefits)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Proud, to approve the minutes of Work Session of **10/28/08** carried with Commissioners Proud and Croswell voting affirmatively thereon. Commissioner Humphrey abstained.

LET THE RECORD SHOW: THAT A MOTION BY MR. HUMPHREY, SECONDED BY MR. CROSWELL, TO RECESS REGULAR SESSION AT 1:25 P.M. TO BE RECONVENED AT 2:00 P.M. THIS DATE, CARRIED WITH ALL MEMBERS PRESENT VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE BOARD RECONVENED REGULAR SESSION AT 2:00 P.M.

LET THE RECORD SHOW: Linda L. Fraley, County Auditor, and Chuck Tilbury, Chief Deputy Auditor, addressed the Board of County Commissioners in regards to the Auditor’s Office budget for the BMV and the REA Fund as proposed within the 2009 Draft Annual Appropriations.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Humphrey, to approve the minutes of Regular Session of **11/19/08** carried with all members present voting affirmatively thereon.

IN RE: ADJOURNMENT...APPROVED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 3:17 P.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**ROBERT L. PROUD, PRESIDENT
EDWIN H. HUMPHREY, MEMBER
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 11/19/08